

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY
Caption in compliance with D.N.J. LBR 9004-1

GIBBONS P.C.

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In re:

NEW ENGLAND MOTOR FREIGHT, INC., *et al.*,

Debtors.¹

Chapter 11

Case No. 19-12809 (JKS)

(Jointly Administered)

**STIPULATION AND AGREED ORDER
REGARDING MOTION FOR RELIEF FROM STAY**

The relief set forth on the following pages, numbered two (2) through and including three (3), is hereby **ORDERED**.

¹ The Debtors in these chapter 11 cases and the last four digits of each Debtor's taxpayer identification number are as follows: New England Motor Freight, Inc. (7697); Eastern Freight Ways, Inc. (3461); NEMF World Transport, Inc. (2777); Apex Logistics, Inc. (5347); Jans Leasing Corp. (9009); Carrier Industries, Inc. (9223); Myar, LLC (4357); MyJon, LLC (7305); Hollywood Avenue Solar, LLC (2206); United Express Solar, LLC (1126); and NEMF Logistics, LLC (4666).

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Debtors: New England Motor Freight, Inc., *et al.*

Case No.: 19-12809 (JKS)

Caption: Stipulation and Agreed Order Regarding Motion for Relief From Stay

WHEREAS, on March 21, 2019, Debtor New England Motor Freight, Inc. (“**NEMF**”) filed a motion seeking, among other things, an order authorizing the rejection of certain unexpired leases of real property, including that certain Lease Agreement dated as of August 6, 2015 by and between and NEMF and RLF I-A SPE, LLC (“**Landlord**” and, together with NEMF, the “**Parties**”) (as subsequently extended pursuant to that certain renewal letter dated as of December 8, 2017, the “**Lease**”).² [Docket No. 297].

WHEREAS, on April 18, 2019, the Court entered the *Amended Order (I) Authorizing the Rejection of Certain Unexpired Leases of Non-Residential Real Property, (II) Authorizing the Abandonment of Related Property, (III) Establishing a Claims Bar Date, as Applicable, and (IV) Granting Related Relief* [Docket No. 478], whereby the Court authorized the Debtors’ rejection of the Lease effective March 31, 2019.

WHEREAS, on March 31, 2019, NEMF surrendered the Premises to Landlord.

WHEREAS, the Parties have agreed to terminate the Lease.

NOW THEREFORE, the Parties stipulate and agree, and the Court hereby finds and **ORDERS** as follows:

1. The automatic stay is hereby terminated as set forth herein pursuant to section 362(d) of the Bankruptcy Code as to Landlord, the Lease, and the Premises.
2. NEMF has surrendered the Premises, and NEMF no longer has any interest in the Premises and the Premises is no longer property of the estate of any Debtor.
3. The Lease shall be and is hereby terminated.

² The Lease is for the entire premises located at 23348 West Eames Street, in Channahon, Illinois (the “**Premises**”).

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Debtors: New England Motor Freight, Inc., *et al.*

Case No.: 19-12809 (JKS)

Caption: Stipulation and Agreed Order Regarding Motion for Relief From Stay

4. The Court will retain jurisdiction over all matters related to this Stipulation and Agreed Order.

5. The stay imposed by Bankruptcy Rule 4001(a)(3) does not apply.

AGREED TO AND JOINTLY SUBMITTED BY:

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